

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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NORTHLAND CAPITAL FINANCIAL SERVICES, LLC,

Plaintiff,

v.

Case No. 16-C-462

GUNVILLE TRUCKING, INC. and  
ROBERT GUNVILLE, JR.,

Defendants.

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**ORDER GRANTING DEFAULT JUDGMENT**

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Plaintiff filed this action alleging the Defendants breached leases for four trailers. In October 2015 the Defendants failed to make the scheduled monthly payment. The Defendants soon returned three of the trailers, but retained a fourth. In addition to unpaid lease balances of nearly \$90,000, the three returned trailers are in need of some \$30,000 in repairs. The Defendants were served with the amended complaint but failed to respond within the allotted time. The clerk entered default on May 26, and the Plaintiff subsequently filed a motion for default judgment. The motion is supported by a brief and affidavits indicating the amounts due under the instruments signed by the Defendants.

Based on the filings made by the Plaintiff, the motion for default judgment is **GRANTED**. Judgment will be entered in favor of NCFS and against Defendants, as follows:

1. Under Count 1 of the Amended Complaint for breach of the Equipment Master Lease Agreement, judgment in favor of NCFS and against Gunville Trucking in the amount of \$129,279.04, to be offset by any proceeds from the commercially reasonable sale of the following

(collectively, the "Equipment"):

- a. 2012 Wilkens 50141 Tipper Trailer, Serial Number 1W91T5075CM288460;
  - b. 2012 Wilkens 50141 Tipper Trailer, Serial Number 1W91T5077CM288461;
  - c. 2012 Wilkens 50141 Tipper Trailer, Serial Number 1W91T5079CM288462; and
  - d. 2012 Wilkens 50141 Tipper Trailer, Serial Number 1W91T5070CM288463.
2. Under Count 2 of the Amended Complaint, judgment for replevin against Gunville Trucking for Trailer No. 2, more specifically described as: 2012 Wilkens 50141 Tipper Trailer, Serial Number 1W91T5077CM288461; and
  3. Under Count 3 of the Amended Complaint for breach of the Guaranty and Continuing Guaranty, judgment in favor of NCFS and against Mr. Gunville in the amount of \$129,279.04, to be offset by any proceeds from the commercially reasonable sale of the Equipment.

Plus interest on the judgment at the legal rate until the judgment is satisfied.

**SO ORDERED** this 8th day of August, 2016.

/s William C. Griesbach  
William C. Griesbach, Chief Judge  
United States District Court